

1 IN THE U.S. BANKRUPTCY COURT  
2  
3 NORTHERN DISTRICT OF OHIO  
4  
5  
6

7 In Re: Grant Thomas Wilcox  
8

Bankruptcy Case: 20-51998-amk

9 Grant T. Wilcox,  
10 9858 Green Dr  
11 Windham, OH 44288

Adv. Pro. No. 21-5001

Debtor/Plaintiff

12 Vs.

Honorable Alan M. Koschik

13 Sara N. Wilcox  
14 9268 Mulberry Road SE  
15 Mount Perry, OH 43760

PLAINTIFFS NOTICE OF  
DEFENDANTS MATERIAL  
MISREPRESENTATION

Creditor/Defendant

16 Vs.

17 Herbert Baker  
18 301 Main Street  
19 Zanesville, OH 43701

20 Creditor/Defendant  
21  
22

23  
24 Now comes the Debtor/Plaintiff, Pro Se and hereby gives notice that  
25 the Defendants have made another misrepresentation the Court. On  
26 February 3rd, 2021 this Court conducted a hearing on Plaintiff/Debtors  
27 motion for a restraining order against the Creditor/Defendant's. During  
28 this hearing Defendant's Counsel stated that Defendants were filing a

PLAINTIFFS NOTICE OF DEFENDANTS MATERIAL MISREPRESENTATION - 1

1 motion the withdrawal the bench warrant out of the Domestic Relations  
2 Court. Counsel also stated that the non-oral hearing was set for February  
3 8th, 2021 and the Court agreed to hold another hearing on February 10th,  
4 2021 regarding the need for a Temporary Restraining Order.  
5

6  
7 On February 4th, 2021 the Defendant's filed their motion to  
8 withdrawal the capias with the Domestic Relations Court (Exhibit A).  
9 However instead of the non-oral hearing being schedule on February 8th,  
10 2021 as the Defendant's represented to this Court. It is instead scheduled  
11 on February 18th, 2021 ten days after the date the Defendants represented  
12 to this Court.  
13  
14

15 Once again the Defendants continuous nonstop misrepresentations  
16 and contortions of fact to this Court continue to cause undue burden,  
17 stress, anxiety and separation from the Plaintiff's Child (Debtor is aware  
18 this Court can do nothing about custody issues). The Plaintiff requested  
19 that the Creditors file their motion to withdrawal the capias numerous  
20 times. Plaintiff even delayed filing his this motion for a TRO because he  
21 was led to believe that such motion was forth coming about a month ago.  
22 The Defendant's didn't take action with the Domestic Relations Court  
23 until after the Plaintiff filed his motion for a TRO.  
24  
25  
26  
27  
28

1 Respectfully Submitted,

2  
3 /s/ Grant T. Wilcox

4 Grant T. Wilcox

5 Debtor, Pro Se

6 9858 Green Drive

7 Windham, OH 44288

8 330-990-5416

9 [grant.wilcox@gmail.com](mailto:grant.wilcox@gmail.com)

10  
11  
12 **CERTIFICATE OF SERVICE**

13  
14 I Grant T. Wilcox certifies that a copy of the foregoing **Debtors/**  
15 **Plaintiff's reply in support for motion for protection order** was served via  
16 electronic mail upon Anthony J. DeGirolamo, Counsel for Defendants on February  
17 5th, 2021.

18 /s/ Grant T. Wilcox

19 Grant T. Wilcox

Reeper DL

CLERK COMMON  
PLEAS COURT  
LICKING CO. OHIO

2021 FEB -4 AM 8:54

OLIVIA C. PARKINSON  
CLERK

IN THE COURT OF COMMON PLEAS, LICKING COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION

SARA N. WILCOX (BUTTS)  
9268 Mulberry Road  
Mt. Perry, OH 43760

Plaintiff

v.

GRANT T. WILCOX, et al.  
9858 Green Drive  
Windham, Ohio 44288

Defendants

Case No. 15 DR0574

JUDGE FROST

**MOTION**

Now comes the Plaintiff herein, Sara N. Wilcox (Butts), through counsel, and moves  
the Court for the withdrawal of the Capias entered by this Court on November 2, 2020.

Plaintiff's grounds are set forth below.

**MEMORANDUM**

Plaintiff is requesting that the Court withdraw the Capias issued by this Court on  
November 2, 2020 to the extent that the same was issued for the Defendant's failure to  
comply with the terms of the parties' Decree in Divorce.

Respectfully submitted,

HERBERT W. BAKER - #0015352  
Attorney for Plaintiff

301 Main Street, P.O. Box 400  
Zanesville, OH 43702-0400  
Telephone: (740) 452-8426  
Fax: (740) 452-4085

HERBERT W. BAKER  
ATTORNEY AT LAW  
301 MAIN STREET  
P.O. BOX 400  
ZANESVILLE, OH  
43702-0400  
(740) 452-8426  
(740) 452-4085

**NOTICE OF HEARING**

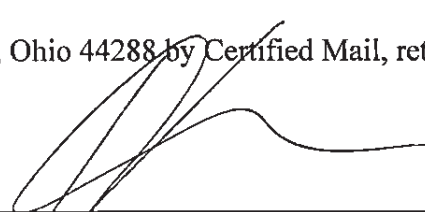
The foregoing Motion shall come on for hearing before the Honorable Duke Frost, Judge of the Licking County Common Pleas Court, Domestic Relations Division by a NON-ORAL hearing on the **18th** day of **February, 2021 at 4 p.m.**

  
\_\_\_\_\_  
Counsel for Plaintiff

**REQUEST FOR SERVICE**

**TO THE CLERK:**

Please issue service and a copy of the foregoing Motion and serve the Defendant, Grant T. Wilcox at 9858 Green Dr., Windham, Ohio 44288 by Certified Mail, return receipt requested.

  
\_\_\_\_\_  
Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion was served upon Defendants, Thomas and Kim Wilcox at 641 State Route 303, Streetsboro, OH 44241 by regular U.S. Mail, postage prepaid, this 30 day of February, 2021.

  
\_\_\_\_\_  
Counsel for Plaintiff

HERBERT W. BAKER  
ATTORNEY AT LAW  
301 MAIN STREET  
P.O. BOX 400  
ZANESVILLE, OH  
43702-0400  
(740) 452-8426  
(740) 452-4085

210203wilcoxmotionbenchwarrantjch